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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/117,219	01/13/1999	CHARLES S. PALM	80802	3437

27975 7590 07/12/2004

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EXAMINER

SAJOUS, WESNER

ART UNIT	PAPER NUMBER
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2676

1.8

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/117,219

Applicant(s)

PALM ET AL.

Examiner

Wesner Sajous

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-10 is/are pending in the application.
- 4a) Of the above claim(s) is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 and 6 is/are allowed.
- 6) ☒ Claim(s) 2-4 and 7-10 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claim(s) are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. .
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) .
- 4) ☐ Interview Summary (PTO-413) Paper No(s) .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Remark

This communication is responsive to the amendment filed on May 3, 2004.

Claims 2-10 are presented for examination.

Response to Arguments

1. With regards to Applicant's argument contending that the Palm reference teaches away from the limitation of claim 3, in that the cameras in Palm are positioned in a fixed distance from each other contrary to the offset position suggested in the claim, the Examiner respectfully disagrees. Palm, at col. 29, lines 25-42, suggests that a second camera can be positioned at a location offset from a camera location from which a perspective view is generated. Thus, Applicant's argument is not persuasive.

All of Applicant's other arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-4, 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

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Teigh et al. (US Pat. 5555366) in view of Palm (USPN 6326995).

Considering claim 2, Teigh, at figs. 2 and 12, discloses a computer system comprises a processor (12), a memory (16) and a stereo viewer (i.e., a displayed entity) loaded in a memory (87, see fig. 12 and col. 8, lines 4-9 and col. 9, lines 24-36), wherein the stereo viewer includes a graphical user interface (see fig. 3) including a viewing window (39 or 41) in which wireframes (50 or 79, fig. 9A or 10A) can be viewed with and without texture (via using the 3D tools, see col. 10, lines 11-32) and a plurality of controls (28-38, particularly, items 35-37) for manipulating a wireframe, a wireframe's texturing or a view of a wireframe (inherent in the 3D presentation of graphic display of molecules or entities). See figs. 28 (A-E) and col. 10, lines 15-65 and col. 16, line 29 through col. 27, line 51.

Teigh fails to teach the use of a controller to positioning or adjusting the neutral plane of a stereo image.

Palm, in a similar art, teaches the use of a controller to positioning or adjusting the neutral plane of a stereo image (e.g., using a disparity controller to adjust the depth of an object vis-à-vis a neutral plane. See abstract and col. 3, lines 35-43, and col. 7, lines 33-40).

Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the features of Teigh to include the control of neutral plane in the same conventional manner as taught by Palm; in order to produce very realistic animations which move in front or behind a neutral plane. See Palm's col. 3, lines 40-43.

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Regarding claim 3, Teigh, at figs. 2 and 12, discloses a computer system comprises a processor (12), a memory (16) and a stereo viewer (i.e., a displayed entity) loaded in a memory (87, see fig. 12 and col. 8, lines 4-9 and col. 9, lines 24-36), wherein the stereo viewer includes a graphical user interface (see fig. 3) including a viewing window (39 or 41) in which wireframes (50 or 79, fig. 9A or 10A) can be viewed with and without texture (via using the 3D tools, see col. 10, lines 11-32) and a plurality of controls (28-38, particularly, items 35-37) for manipulating a wireframe, a wireframe's texturing or a view of a wireframe (inherent in the 3D presentation of graphic display of molecules or entities). See figs. 28 (A-E) and col. 10, lines 15-65 and col. 16, line 29 through col. 27, line 51.

Although Teigh discloses substantial features of the invention, Teigh fails to teach a control for adjusting camera offset.

Palm in a similar art teaches the functional equivalence for adjusting camera offset between points acting as cameras for providing left and right image views of a wireframe. See col. 4, lines 1-3 and col. 6, lines 49-56.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Teigh to include the feature of Palm, in order to allow a user to control the disparity by which left and right images are separated. See Palm's col. 3, lines 25-27.

Re claim 4, the claimed "one or more controls for animating a wireframe" is met by fig. 3, items 35-37.

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Re claim 7, the claimed "controls for positioning the wireframe" is met by fig. 3, items 28-38.

Re claim 8, the claimed "control for restoring a wireframe to a default position" is inherently met by the disclosure at col. 11, lines 33-60, for the dragging of the molecules or entity can be implemented to restore the molecule to a default position, as desired by the user doing the dragging.

Re claim 9, the claimed "selecting between stereo view and non- stereo view of a wire frame" is inherent in the disclosure of Teigh's fig. 5, because the molecule or entity can be viewed or manipulated in both 2D and 3D (see col. 10, lines 5-15), wherein the 2D view of the molecule represents the non-stereo view and the 3D the stereo view.

As per claim 10, the claimed "magnifying and reducing the size of the wireframe" is inherently met by col. 10, lines 49-65.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Teigh in view of Palm.

Regarding claim 3, Teigh, at figs. 2 and 12, discloses a computer system comprises a processor (12), a memory (16) and a stereo viewer (i.e., a displayed entity)

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loaded in a memory (87, see fig. 12 and col. 8, lines 4-9 and col. 9, lines 24-36), wherein the stereo viewer includes a graphical user interface (see fig. 3) including a viewing window (39 or 41) in which wireframes (50 or 79, fig. 9A or 10A) can be viewed with and without texture (via using the 3D tools, see col. 10, lines 11-32) and a plurality of controls (28-38, particularly, items 35-37) for manipulating a wireframe, a wireframe's texturing or a view of a wireframe (inherent in the 3D presentation of graphic display of molecules or entities). See figs. 28 (A-E) and col. 10, lines 15-65 and col. 16, line 29 through col. 27, line 51.

Although Teigh discloses substantial features of the invention, Teigh fails to teach a control for adjusting camera offset.

Palm in a similar art teaches the functional equivalence for adjusting camera offset between points acting as cameras for providing left and right image views of a wireframe. See col. 29, lines 25-42.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Teigh to include the feature of Palm, in order to generate a three-dimensional perspective view of the wireframe. See Palm's col. 29, lines 25-30.

Allowable Subject Matter

5. Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, because the prior art of record fail to teach that

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the controls include one or more controls for selecting display of a wireframe either unrendered or rendered with one of a bit mapped texture from an image used to create the wireframe or a selected surface texture.

Conclusion

Any response to this action should be mailed to:

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or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED
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Or:

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Hand-held delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

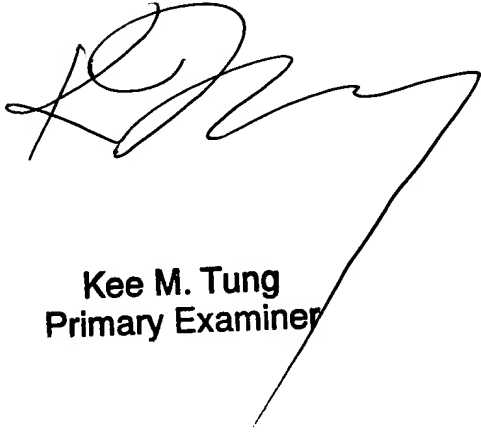
Arlington, VA , 6th floor (receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wesner Sajous whose telephone number is (703) 308-5857. The examiner can also be reached on Mondays thru Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Matthew Bella, can be reached at (703) 308-6829. The fax phone number for this group is (703) 308-6606.

Wesner Sajous -WS-

July 5, 2004



Kee M. Tung
Primary Examiner